

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10cv72**

<b>JENNIFER MARIE JONES,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>COMSYS IT PARTNERS, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**THIS MATTER** is before the court on the joint Notice of Settlement (#103). In such pleading, the parties state that they have resolved the dispute between them and the former defendants, that they are preparing a release and settlement agreement, and that payment will be made to plaintiff, who will then file a stipulation of dismissal with prejudice. They request that the court administratively close this action for 63 days pending finalization of settlement.<sup>1</sup>

Having considered the notice and the request contained therein, the court will administratively close this matter until November 1, 2011. By such date, the parties shall either file their stipulation of dismissal with prejudice or, failing such, the court will dismiss this case on that date without prejudice. Inasmuch as three motions remain pending (#s 85, 87, & 88), the court will terminate those motions without prejudice as a matter of housekeeping.

Finally, the parties are advised that a Notice of Appeal (#95) appears of record, docketed as Case Number 11-1769 (4<sup>th</sup> Cir 2011). The parties should take appropriate steps

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<sup>1</sup> Inasmuch as the notice contains a request for relief from the court, counsel is advised for future reference that the notice should have been filed as a motion, L.Cv.R. 7.1, inasmuch as a notice does not generate an event for court action in ECF.

to notify the Court of Appeals for the Fourth Circuit that this action (and, presumably, that appeal) have been amicable resolved.

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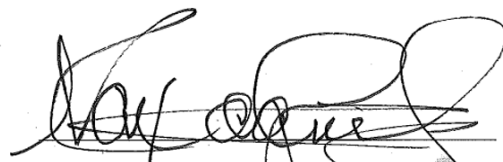
The court appreciates the efforts of plaintiff and counsel for defendants in reaching an amicable resolution of this matter.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that the joint request to administratively close this matter, contained in the Notice of Settlement (#103) is **GRANTED**, and this action is administratively closed until November 1, 2011. On such date, the Clerk of this Court shall review this action and if no stipulation of dismissal with prejudice has been filed, he shall enter the Clerk's dismissal of this action without prejudice.

**IT IS FURTHER ORDERED** that all pending motions (#s 85, 87, & 88) are **TERMINATED** without prejudice as a matter of housekeeping.

Signed: August 30, 2011



Max O. Cogburn Jr.  
United States District Judge